

TRIAL

Before the Lord cheif Justice R - y - - - d at at Guild Hall between Mr. J-- C - a Mercer at Aldgate, and Mr. J. E-- for Criminal Conversation with his wife the Jury brought in their Verdict for Mr. J. C-- giving him Five Hundred Pounds Damage.

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TH E Cause being open'd shewin that the Plaintiff had been a great Sufferer thro' the Wickedness of his wife and the Villany of his Man the Defendant; he giving bad Criminal Conversation with his Wife, to prove which he had sufficient Witnesses in Court, who being call'd and Sworn depos'd as follows.

A-- W--- his Servant Maid depos'd that about three quarters of a Year ago she was a going into her Mistresses Chamber (she being Chamber Maid) about some Business saw her Mistress in a very indecent Posture, on the Bed with Mr. J--- E--- the Defendant. The Court ask'd her if she could not tell what Month it was in, or in what day of the Month, or in what Hour of the Day it was, she reply'd, she could not tell what Day of the Month it was, but was positive it was in August last in the Afternoon, and being ask'd by the Court, if she told her Master of it, she said no, but she told her Fellow Servant of it, who with her us'd to watch Mr. J. E. and her Mistress more narrowly, the Court ask'd her if she saw her Mistress and the Defendant together after that; yes, she said sometime after she watch'd him into her Mistresses Room where they staid a good while together, she being ask'd how long it was after the first time she saw them; she said about two Months. And being ask'd, what she saw them do all that while they were together; she answer'd, what was very Wicked, and what she was asham'd to tell, but being told by the Judge, that she must Name plainly what there she saw, after some Hissitation she said, she saw him play with her Bubbles, and put his Hand under her Coats and play with her Thighs, and do something else she was asham'd to name, but being told by the Court, this was not sufficient to convict the Defendant of Criminal Conversation with his Mistress, except she plainly disclos'd what she saw. She said she saw him --- as Man and Wife, and that he had Carnal Knowledge of her Body, the Judge ask'd how she saw this done? She said thro' a hole or crack that was in the Wainscote, and that she fetch'd her Fellow-Servant, who saw the same likewise.

M--- T--- being depos'd the same strengthening the other Evidence, by saying she told her Master of it, and he seeing some indecentcy pass between his Wife and his Apprentice the Defendant; he sent his Wife to her Friends, and proceeded to prosecute the Defendant. This being sufficient, the Judge sum'd up the Evidence, and delivering his Charge to the Jury, told them the young Woman might be brib'd to swear what they did; and desired them to take due Consideration of it, however after a short stay, the Jury brought in their Verdicts for the Plaintiff, giving him Five Hundred Pounds Damage.